

HARVEY BROWN.

DECEMBER 27. 1831.

Mr. DAVIS, of S. Carolina, from the Committee on the Judiciary, made the following

REPORT:

The Judiciary Committee, to which was referred the petition of Harvey Brown, an Assistant Quartermaster in the army of the United States, report:

That the petitioner's claim is founded on the following statement, as set forth in his petition, viz: "That he was an Assistant Quartermaster at the post of St. Augustine, in East Florida, during a great part of the time from the year 1821 to 1829; that whilst at that place, Col. Abram Eustis, the then commanding officer, removed, or caused to be removed, a quantity of building stones which were on lands ceded by the Spanish Government to the United States, and which were claimed by Francis Gue, a citizen of St. Augustine, as his property; that these stones, so taken, were used in erecting chimnies to the barracks, and for various other purposes appertaining to the United States' property at St. Augustine. He declares that he did not remove, or have any agency in removing, the stones; yet, solely because he was an agent and disbursing officer of the United States, the said Gue instituted a suit against him for alleged damages, and obtained a verdict for \$850, which, with the costs of suit, the fees of counsel, and other necessary expenses, make the whole to amount to one thousand and forty-one dollars, which he is now liable to pay. He further states, that in the spring of 1829, he travelled from New York (where he was stationed) to St. Augustine, by order of Major General Gaines, for the purpose of attending to the foregoing suit, and considers himself entitled to such usual allowance as is given to officers when on detached duty. From the commencement to the termination of the suit he acted under the orders of General Jesup, the Quartermaster General." The petitioner submits the following items, as composing his claim upon the justice of Congress:

The UNITED STATES,

To Harvey Brown,

Dr.

To amount of judgment obtained against him, as per record of the court,	-	-	-	-	-	-	\$850 00
To costs of suit accrued there,	-	-	-	-	-	-	43 33

To costs of appeal, to be paid in Tallahassee, - - -	4 12
To amount paid J Rodman, for defending the suit, - -	50 00
To per diem allowance of seventy-five days, employed in going to, returning from, and attending the court pending the trial,	93 75
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	\$1,041 20

The committee have carefully examined the documents, vouchers, and other proofs accompanying the petition, and are of opinion that the claim is supported in each item, and that the petitioner is entitled to the relief prayed for. The committee therefore report a bill for that purpose.

REPORT.

The Judiciary Committee, to whom was referred the petition of Harvey Brown, an American Quartermaster in the army of the United States, report:

That the petitioner's claim is founded on the following statement, as set forth in his petition, viz: "That he was an Assistant Quartermaster in the post of St. Augustine, in East Florida, during a great part of the time from the year 1821 to 1828; that whilst at that place, Cal. Brown, then a British commissioned officer, removed or caused to be removed a quantity of British stores which were on lands ceded by the Spanish Government to the United States, and which were claimed by Brown, then a citizen of St. Augustine as his property; that these stores, which were used in outfitting companies to the barracks, and for various other purposes pertaining to the United States' property at St. Augustine. He declares that he did not move or have any agency in removing the stores, yet, solely because he was an agent and assistant officer of the United States, he said that he furnished a bill against him for alleged charges, and obtained a verdict for \$250, which, with the costs of suit, the loss of counsel, and other debts, was expended, making the whole to amount to one thousand and forty-one dollars, which he is now liable to pay. He further states, that in the spring of 1830, he travelled from New York, where he was stationed, to St. Augustine, by order of Major General Calhoun, for the purpose of attending to the foregoing suit, and considers himself entitled to such equal allowance as is given to officers when on detached duty. From the commencement to the termination of the suit he acted under the orders of General Leake, the Quartermaster General." The petitioner submits the following items, as comprising his claim upon the justice of Congress:

The United States.

To Harvey Brown.

To amount of judgment obtained against him, as per record of

\$250 00
43 25

To costs of suit accrued there.